

REMARKS

This application has been carefully reviewed in light of the September 27, 2005 Office Action. Claims 109, 111 to 115, and 117 to 121 are in the application, of which Claims 109, 115, and 121 are independent. Claims 110 and 116 have been cancelled without prejudice. Claims 109, 111, 115, 117, and 121 have been amended herein. Reconsideration and further examination are respectfully requested.

Claims 110 and 115 to 120 were rejected under 35 U.S.C. § 112, second paragraph. The rejection is respectfully traversed, and is submitted to have been obviated by the cancellation of Claim 110 and by the amendment made to Claim 115. Accordingly, withdrawal of the § 112 rejection is respectfully requested.

Claims 109 to 121 were rejected under 35 U.S.C. § 101, as allegedly being directed to non-statutory subject matter. The rejection is respectfully traversed.

With respect to Claims 109 and 111 to 114, they were rejected since “they do not claim a technological basis in the body of the claim”. This comment is not understood, and in any event is not seen to form the basis for a rejection under § 101. In particular, Claims 109 and 111 to 114 are all directed to methods comprising retrieval and search of first and second databases together with extraction of information, preparation of a plurality of layout examples from which one layout example is selected, and printout of information on a paper sheet according to the selected layout example. These claims are therefore directed to methods that are so fundamentally physical in nature that it is difficult to understand the comment in the Office Action that the claims are “no more than manipulation of an abstract idea”. Rather, these claims are clearly statutory in nature since they are directed to a “useful process”, as authorized under § 101.

With respect to Claims 115 and 117 to 120, these Claims were rejected based on the perceived “need to identify the type of system and to have a computer-readable medium which stores computer-executable program code in the body of the claim”. This comment is simply not understood. Claims 115 and 117 to 120 are apparatus Claims written as permitted by the sixth paragraph of 35 U.S.C. § 112 (i.e., “means-plus-function claims”). There is no question that such claims are statutory; see *In re Donaldson*, 29 USPQ 2d 1845, 1848 (Fed. Cir. 1994) and *In re Alappat*, 31 USPQ 2d 1545, 1554 (Fed. Cir. 1994) (*en banc*), and the discussion of these cases at MPEP § 2106:

“Given Alappat’s disclosure, it was error for the board majority to interpret each of the means clauses in claim 15 so broadly as to ‘read on any and every means for performing the function’ recited, as it said it was doing, and then to conclude that claim 15 is nothing more than a process claim wherein each means clause represents a step in that process. Contrary to suggestions by the Commissioner, this Court’s precedence to do not support the Board’s view that the particular apparatus claims at issue in this case may be viewed as nothing more than process claims.” (MPEP page 2100-9).

Here, Claims 115 and 117 to 120 are means-plus function claims and thus are clearly statutory, such that the rejection under § 101 must be withdrawn.

As for Claim 121, the rejection of the claim is simply not understood. According to page 3 of the Office Action, “the claim needs a computer-readable storage medium or device in the body of the claim”. However, the claim itself *is a computer-readable storage medium*, and thus is statutory since it is a “manufacture” as authorized under § 101. For purposes of a rejection under § 101, no other inquiry is needed. Naturally, Claim 121 must satisfy all other pertinent requirements of the patent

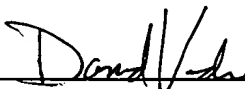
statute, but on this record, where the only rejection is entered under § 101, the rejection must be withdrawn.

An Information Disclosure Statement is being submitted herewith, and consideration of the documents cited therein is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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